

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 10/814,279

REMARKS

As requested by the Examiner, Applicant has checked the specification for all possible minor errors, and, thus, makes the above amendment to the Abstract on page 1 of the specification.

The reference characters in the specification and drawing appear to be in conformance with each other.

Applicant has amended the specification to insert the headings suggested by the Examiner.

Applicant requests the Examiner to reconsider and withdraw the rejection of claims 1-12 under 35 U.S.C. § 112, second paragraph, in the light of the above amendment to claim 1, line 3, to clarify the antecedent for "the drive shaft" in lines 4 and 6 of claim 1.

As for replacing the British-American spelling of "characterised" with the American-English spelling "characterized", Applicant requests the Examiner to reconsider and withdraw this ground of the rejection if, in fact, it was intended to be a ground of rejection under 35 U.S.C. § 112, second paragraph. See MPEP §608.01, page 600-58, first column, last paragraph, where it is stated that examiners should not object to the use of "British-English spellings".

Applicant notes the allowability of claims 2-12 if they are amended to overcome the rejection under 35 U.S.C. § 112, second paragraph, and rewritten in independent form; however, Applicant respectfully requests the Examiner to hold in **abeyance** such rewriting, until the Examiner has had an opportunity to consider (and withdraw) the rejection of the parent claim 1.

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Claim 1 stands rejected under 35 U.S.C. § 102(b) as being "clearly anticipated" by either Rebordosa '691, Safont '684 or Penaranda '656.

Such a rejection (based on anticipation) requires that each of these cited references teach, either expressly or inherently, each limitation of claim 1, or in other words, that claim 1 be readable on each of these three references. Applicant respectfully submits that clearly such is **not** the case here.

The Examiner makes the following **conclusory** statement of readability (i.e., without explanation):

The features of the instantly rejected claims [sic, claim] are structurally met by either one of the references cited above.

However, Applicant must respectfully **disagree** with this conclusory statement.

Claim 1 recites that "the tool" comprises, "**provided at the same first end**" of the tubular casing (11):

- "a centering and guiding element" (15);
- "locking" means (21, 25); and
- "coupling means" (45).

In **contrast** to the **invention** recited in claim 1, the cited references, i.e., US 6,293,691 (Rebordosa), US 5,836,684 (Safont), and US 6,186,656 (Penaranda), disclose centering and guiding means, under respective reference numerals 6, 7; 7, 10; 7, 8 (see Figure 1 of each reference for example), which are provided at the free end of the tubular casing (respectively 4; 2; 2), this free end being opposite the machine body.

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Thus, in these three cited references, the "centering and guiding means" would be located at a **different end** from eventual "means for locking" the tubular casing to a machine body, and from "means for coupling" the drive shaft to a main shaft of the machine, in contradiction to claim 1.

Thus, and notwithstanding the Examiner's assertion to the contrary, Applicant respectfully submits that claim 1 is not readable, either expressly or inherently, on the disclosures of any of these references, whereby claim 1 is **incapable** of being "anticipated" by any one of these references. Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection under 35 U.S.C. § 102(b).

(In order to advance the prosecution of the application, Applicant also respectfully submits that the subject matter of claim 1 would **not have been obvious** under 35 U.S.C. § 103(a), as the disclosures of the three cited references, taken alone or in any combination, do not teach or suggest the claimed tool (claim 1) in which the "fixing means" of the "centering and guiding element" can interfere with "complementary locking means provided on the machine body", and thus provide a higher safety level.)

Furthermore, these three references are additionally irrelevant because they do not even deal with a tool which is connected to a machine body.

In summary, then, Applicant respectfully requests the Examiner to reconsider and withdraw the rejections under 35 U.S.C. § 112, second paragraph, and 35 U.S.C. § 102(b), and to find the application to be in condition for allowance with all of claims 1-12; however, if for any reason the Examiner feels that the application is not now in condition for allowance, the

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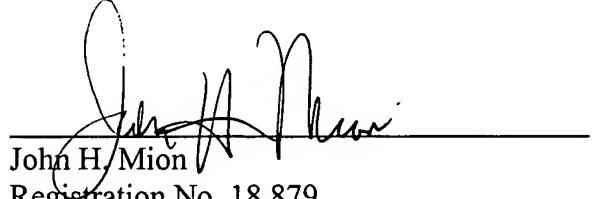
Examiner is respectfully requested to **call the undersigned attorney** to discuss any unresolved issues and to expedite the disposition of the application.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to

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Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,



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